



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Harrington *et al.*

Application No: 09/513,997

Filed: February 25, 2000

For: **Compositions and Methods for Non-Targeted Activation of Endogenous Genes**

Art Unit: 1632

Examiner: P. Brunovskis

Atty. Docket: 0221-0003Q

PETITION FOR A CORRECTED FILING DATE FOR A PATENT APPLICATION FILED UNDER 37 C.F.R. 1.53(b)

Box DAC
Assistant Commissioner for Patents
Washington, D.C. 20231

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Sir:

The U.S. Patent & Trademark Office has accorded the above-identified patent application the filing date of February 26, 2000. However, Applicants filed the above-identified patent application on **February 25, 2000**. Applicants submit herewith a copy of each of the following documents filed with the application to support the assertion that the correct filing date is February 25, 2000:

1. date-stamped postcard receipt indicating the date mailed as February 25, 2000;
2. Utility Patent Application Transmittal indicating that the application was deposited with the United States Postal Service under 37 C.F.R. 1.10 on February 25, 2000¹;
3. Request for Transfer of Computer Readable Form of Sequence Listing indicating that the Request was deposited with the United States Postal Service under 37 C.F.R. 1.10 on February 25, 2000; and

¹ The attorney docket number on this document, and the other listed documents, is 58717-7Q. The attorney docket number changed to 0221-0003Q when the law firm handling the prosecution changed from Alston & Bird to Shanks & Herbert.

4. Information Disclosure Statement indicating that the IDS was deposited with the United States Postal Service under 37 C.F.R. 1.10 on February 25, 2000.

Applicants respectfully request that the proper filing date of February 25, 2000 be accorded to the above-identified patent application.

The Petition Fee of \$130.00 as set forth in 37 C.F.R. 1.17(h) is enclosed. The Commissioner is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 50-0622. A duplicate copy of this letter is also enclosed.

Prompt and favorable consideration of this Petition and the cited documents is respectfully requested.

Respectfully submitted,
SHANKS & HERBERT

Kristin K. Vidovich
Kristin K. Vidovich
Reg. No. 41,448

Date: March 18, 2002

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Assistant Commissioner For Patents
Washington, DC 20231

Date Mailed: 02/25/00
Atty. Dkt. No. 5317-7Q

Kindly acknowledge receipt of the accompanying DIVISIONAL PATENT
APPLICATION with Application Transmittal Cover Sheet for:
Inventor(s): Harrington, *et al.*

Title of Invention: COMPOSITIONS AND METHODS FOR NON-
TARGETED ACTIVATION OF ENDOGENOUS GENES

Pages of Spec. (including claims and abstract) 166; No. of Claims 115
No. of Drawing Sheets 62 ; Declaration Enclosed Yes (2 pgs)

Small Entity Statement Enclosed (as filed in prior application);
IDS with PTO 1449 Enclosed Yes (25 pgs);

Other Documents: Revocation & Power of Attorney from Assignee; Certificate
Under 37 CFR § 3.73(b); Request for Transfer of Computer Readable Form of
Seq Listing; paper copy of Seq Listing (14 pages); Prelim Amendment (10 pgs)
Check Enclosed: NO

Please place office stamp hereon and Return Postcard to : Nora Martinez/ARB
ALSTON & BIRD LLP



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